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EXAMINER: HARRELL, R

ART UNIT: E3M1/0705

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2315

DATE MAILED: 07/05/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☑ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire —3— month(s), —0— days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892.
2. ☑ Notice of Draftsman's Patent Drawing Review, PTO-948.
3. ☑ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Patent Application, PTO-152.
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ _____.

Part II SUMMARY OF ACTION

1. ☑ Claims 1-23 are pending in the application.

   Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☑ Claims 1-23 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____. has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☑ The proposed drawing correction, filed 9/19/94, has been ☑ approved; ☐ ~~disapproved (see explanation).~~

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application apppears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☑ Other See attached.

EXAMINER'S ACTION

PTOL-326 (Rev. 2/93)

Serial Number: 113299
Art Unit : 2315

15. Claims 1-23 are presented for examination.

16. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

17. Claims 1-23 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The scope of meaning of the following claim language is not clear:

a) "the processors"--claim 2;

b) "the steps of"--claims 13 and 22 [*suggest dropping "the"*].

18. As to 17 (a and b) above, these are but a few examples of numerous cases where clear antecedent bases are lacking and not an exhausting recital. Any other term(s) or phrase(s) over looked by examiner and not listed above which start with either "the" or "said" and do not have a single proper antecedent bases also is indefinite for the reasons outlined in this paragraph. Also, these are but a few examples where term(s) or phrase(s) are introduced more than once without adequate use of either "the" or "said" for the subsequent use of the term(s) or phrase(s). Moreover, multiple introduction of a term, or changes in tense, results in a lack of clear antecedent bases for term(s) or phrase(s) which relied upon the introduced term. Failure to correct all existing cases where clear antecedent bases are

lacking can be viewed as non-responsive.

19. The proper noun upon the word "its" cannot be established in the claims.

20. In claim 1, "other processor devices" cannot be clearly ascertained in meaning.

21. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

23. Claim 1 reads on Unix. Specifically, the use of known permission levels among files and processes running under a Unix Operating system.

24. It was a matter of common knowledge that an apparatus (Unix and hardware) was implemented for communication between a plurality of processor devices (application programs such as news, mail, ftp, telnet, and collections of daemons), comprising:

a) a post office memory (eg., /var/spool/mail) including a plurality of mailbox memories (eg., /var/spool/user_1, /var/spool/user_x);

b) each of the mailbox memories being write accessible only by

it owner processor device, and read accessible by its owner and other processor devices (eg., permission for a mailbox was set to drwxr-xr-x).

25. Thus, it was a matter of common knowledge that certain files where implemented to pass parameters, configuration information, and other information among application processor devices and such files had permission set to drwxr-xr-x such that only the owner of the file could write into the file, but others could read the file.

26. Per claim 2, such was a matter of common knowledge in Unix in that one daemon would signal another that information was ready (eg., UUCP would interrupt sendmail to inform sendmail when mail was ready in /var/spool/UUCP/machine_site for a user on the machine).

27. Per claim 13, return address was normal in the header of the message in a Unix system, and per 14 processes normally acted on the message (or could ignore the mail).

28. Per claim 22 and 23, note supra. As to RAM, the mail was normally stored on a Hard Disk which permitted random access to cells (sectors), and ports (heads).

22. Claims 1-8,13,14, and 16-23 are rejected under 35 U.S.C. 102 (b) as being clearly anticipated by Burkhardt, Jr. et al. (5,142,683).

23. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

24. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103, examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligations under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. 102 (f) or (g) prior art under 35 U.S.C. 103.

25. Claims 1-23 are rejected under 35 U.S.C. 103 as being unpatentable over Burkhardt, Jr. et al. (5,142,683).

26. That which was anticipated, or taught, was obvious.

27. Per claims 9-12 and 15, Burkhardt did not specifically detail the use of multiport RAM as currently claimed. However, use of such a RAM would have been obvious to those skilled in the data processing are as a replacement of the serial manner of the workstation bus because the parallel fashion of such a RAM would provide faster operation of the system over the serial

access of that used by the reference.

28. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the data of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (703) 305-9692 any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

ROBERT B. HARRELL
PRIMARY EXAMINER
GROUP 2315